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Patent

ATTORNEY DOCKET NO.: D0932-00432  
[I-8847]



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Michael J. Lembo et al.

Serial No.: 10/763,873

Group Art Unit: 1733

Filed: January 23, 2004

Examiner: not yet assigned

For: **APPARATUS AND METHOD FOR FORMING PERFORATED BAND JOIST  
INSULATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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I hereby certify that this correspondence and the documents referred to as attached therein are being deposited with the United States Postal Service using express mail Post Office to addressee service, in an envelope addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450,

April 29, 2005  
Date  
Steven E. Koffs  
Steven E. Koffs, Reg. No. 37,163

**INFORMATION DISCLOSURE STATEMENT TRANSMITTAL LETTER**

Dear Sir:

Enclosed herewith is an Information Disclosure Statement pursuant to 37 CFR.  
§ 1.56 in connection with the above-identified application, which statement is being filed:

- ☐ Together with the present application.
- ☒ Before the first Office Action on the merits or three (3) months from the filing date of this application, whichever occurs last. [37 CFR § 1.97(b)]
- ☐ After the first Office Action on the merits, but before a Final Office Action under §1.113 or Notice of Allowance under §1.311, whichever occurs first. [37 CFR § 1.97(c)]
- ☐ After a Final Office Action under §1.113 or Notice of Allowance under §1.311, but prior to or with payment of the Issue Fee. [37 CFR § 1.97(d)]

Consistent with Applicant's obligations pursuant to 37 CFR §§1.97 and 1.98, the following requirements have been met:

☒ No separate requirements are needed.

☒ No additional fee is required.

☐ **Fee Under 37 CFR § 1.97(c)**

The fee of \$180.00 for submission of an IDS under § 1.97(c) as set forth in § 1.17(p) accompanies this statement.

☐ **Fee Under 37 CFR § 1.97(d)**

The fee of \$180.00 for submission of an information disclosure statement under § 1.97(d) set forth in § 1.17(p) accompanies this statement.

☐ **Certification Under 37 CFR § 1.97(e)**

- ☐ Each item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement; or
- ☐ No item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in this statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of this statement.

**Provision of Copies of References**

☒ Copies of cited references which are U.S. Patents or U.S. Patent Application Publications are not required for this application, which has a filing date after June 30, 2003 (1276 OG 55, 5 August 2003).

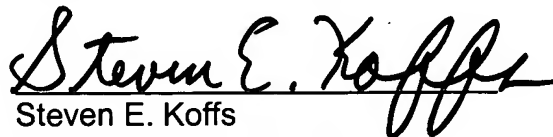
- ☐ A copy of each of the following references (also) listed on the attached Form PTO-1449 which are not U.S. Patents or U.S. Patent Application Publications are enclosed herewith and forms a part hereof:
- ☐ Partial Translations of References are enclosed herewith and form a part hereof.
- ☐ A copy of the European Search Report from a corresponding or related EPO application is enclosed herewith.
- ☐ A copy of the International Search Report from a corresponding or related PCT application is enclosed herewith.

**Identification of Prior Application(s) In Which Listed Information Was Already Cited And For Which No Copies Are Submitted Or Need Be Submitted**

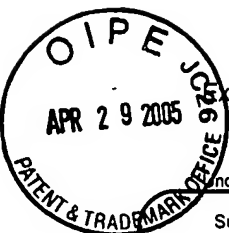
- ☐ This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior U.S. Application No(s). 10/141,595, filed May 8, 2002. All references listed on the enclosed form PTO-1449 were submitted to, and/or cited by, the Office in the prior application(s) and therefore are not required to be provided in this application:
- ☒ The Commissioner is hereby authorized to charge any fees associated with this communication or credit any overpayment to Deposit Account No. 04-1679. A duplicate copy of this transmittal is attached.

Respectfully submitted,

DATE: April 29, 2005

  
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Registration No. 37,163  
Attorney for Applicant(s)

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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
(Use as many sheets as necessary)

**Complete if Known**

Application Number	10/763,873
Filing Date	January 23, 2004
First Named Inventor	Michael J. Lembo
Art Unit	1733
Examiner Name	not yet assigned
Attorney Docket Number	D0932-00432

Sheet 1 of 1

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US- 2003/48686 A1	03-13-2003	Taura	
		US- 2003/0148686 A1	08-07-2003	Weinstein et al.	
		US- 2004/0109971 A1	06-10-2004	Weinstein et al.	
		US- 6,141,930	11-07-2000	Allwein et al.	
		US- 6,484,463	11-26-2002	Fay	
		US- 6,551,677	04-22-2003	Weinstein et al.	
		US- 6,670,011	12-30-2003	Weinstein et al.	
		US- 6,740,188	05-25-2004	Allwein et al.	
		US- 6,743,326	06-01-2004	Boggett et al.	
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**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.